

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
VERONICA BROWN,

Docket No.: 14-CV- 5960 (SLT) (MDG)

Plaintiff,

DECLARATION IN OPPOSITION

-against-

MARRIOTT INTERNATIONAL, INC.,

Defendant.

-----X

I, Mitchell G. Shapiro, hereby declare, as follows:

1. I am an attorney duly admitted to practice law in this Court and am an associate in the office of Salzman & Winer, LLP, attorneys for plaintiff in the above-captioned action.

2. I submit this declaration in opposition to defendant, Marriott International, Inc.'s, motion to dismiss the complaint for failure to state a claim and on grounds of *forum non conveniens*.

3. Attached hereto as Exhibit A is a true and accurate copy of an incident report prepared by Marriott in connection with plaintiff's accident.

4. Attached hereto as Exhibit B are true and accurate copies of excerpted pages from Marriott's 2013 Annual Report.

5. Attached hereto as Exhibit C and D is a true and accurate copy of printout pages from Marriott's website.

6. Attached hereto as Exhibit E is a true and accurate copy of the declarations page of a commercial liability insurance policy, on which Marriott and the St. Kitts Marriott Resort are co-insureds.

7. Attached hereto as Exhibit F is a true and accurate copy of a discovery response from Marriott, dated March 19, 2014.

8. In further opposition to Marriott's motion, plaintiff, Veronica Brown, submits her affidavit, sworn to on September 22, 2015, with exhibits attached thereto.

Dated: New York, N.Y.
September 24, 2015

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SALZMAN & WINER, LLP
Attorneys for Plaintiff

By 

MITCHELL G. SHAPIRO

305 Broadway, Suite 1204

New York, N.Y. 10007

(212) 233-6550

EXHIBIT “A”



St. Kitts Marriott International INCIDENT REPORT



Type of Incident		Date of Incident	Date of Report	Guest (X)
Slip and Fall		18/07/2013	18/07/2013	Associate ()
Exact Location of Incident		Time of Incident	Time of Report	Incident Code
On Floor Next to restroom sink.		00:15	00:20	13-0097
Name		Address		
Mrs. Veronica Brown-Mulvaney		463 East 56 St, Brooklyn, New York, U.S.A.		
Date of Birth	Sex	Work Telephone	Home Telephone #	E-mail Address
April 9 th 1956	F	1-718-629-1213	1-917-584-9432	Buffie3@verizon.net
NARRATIVE: Give details in concise terms. What occurred, where, by whom, on whom, why. Identify all people involved and all witnesses. Add. Address: if then state what was taken, value, description and if possible how could have happened.				

On Wednesday 18th July 2013 at about 00:20 hrs, I was informed of a slip and fall in room 455. I left to investigate.

I arrived at room 455 and was met at the door by Ms. Judith Gomez. She allowed me in and introduced Mrs. Victoria Brown-Mulvaney. Ms. Brown-Mulvaney stated, she was making her way to the restroom when she slipped and fell as result of the water that dripped from the AC vent in the ceiling onto the tiled floor. She landed on the outer side of her left leg. There was pain in the covering from her hip down to her leg. She did not see the need for further care but would monitor throughout her stay and inform us if anything developed.

I arrived at the room and met Mrs.-Brown-Mulvaney quietly lying in bed. She declined being taken to the hospital or having an ice pack applied to the area. Specific mention was made as to having the incident reported. When asked about providing a statement she scheduled for a later time. I received her voluntary statement in the Lobby at 07:15 hrs. At that point she stated that her left ankle was swollen as a result. She walked through the Lobby Entrance/Exit unassisted, after handing me her statement.

Tyrone O'Loughlin (EOD) arrived in the room before me. He confirmed that there was water on the floor. This was result of the AC drainage pan having a leak which caused water to drip from the vent in the ceiling on to the floor. The repair process was under way by the Engineering Team.

Please See Accompanying Data

- a) Voluntary Statement of Mrs. Brown - Mulvaney
- b) Room Folio

EXHIBIT “B”

00092



2013 ANNUAL REPORT

FIND YOUR WORLDSM ONLINE.

TOUR OUR INTERACTIVE ANNUAL REPORT AT MARRIOTT.COM/INVESTOR.

00097

LOOKING AHEAD TO A BRIGHT FUTURE

We are investing in effective marketing and social media platforms to deliver what next generation guests want. Today, more than half of the world's population is under the age of 25.⁶ In 2013, the Generation Y population accounted for 19 percent of total room nights in U.S. business travel and we expect that to nearly double to 34 percent by 2020⁷ as these Millennials graduate and start traveling for work. We are attracting this growing demographic segment by introducing new brands tailored to their needs, along with updating existing brands with the technology, design, wellness, and food and beverage experiences that are important to them.

Our flagship brand, Marriott Hotels, launched the multi-year 'Travel BrilliantlySM' global marketing campaign—a bold effort amplifying the brand's dedication to leading the future of travel. Using social media and online, broadcast and cable TV spots, the campaign engaged younger travelers to share their best ideas with us to reimagine the future of travel.

Our company is investing in mobile-booking technologies and is ensuring that the Wi-Fi in our properties meets the demands of today's tech-savvy consumer. Greater Wi-Fi speed and reliability will increase our appeal and boost Marriott's relevance, preference and revenue.


In addition to our mobile app, we created new guest service applications for our Marriott Hotels brand such as Red CoatSM Direct, giving meeting organizers the ability to adjust their requests and preferences with a touch of a button on their devices, without ever leaving the meeting room. With our Workplace on Demand app, powered by LiquidSpace[®], guests can book both free and paid meeting spaces as easily as they book guest rooms.

As we grow around the world, more than 100,000 people will begin their Marriott career in 2014, including thousands of Millennials. So, we launched "Mobile Apply,"—an industry first—giving job seekers an easy way to find and apply for jobs from their smart phones. This engages candidates across the globe on their terms and recognizes that in the developing world, candidates are often more likely to have a smart phone than a computer.

We live the motto "success is never final." In the past five years, despite a significant economic downturn, we grew our system by more than 20 percent, while also returning \$4 billion to shareholders in dividends and share repurchases, reducing diluted shares outstanding by 16 percent.

We are proud of our performance. On behalf of our team around the world, thank you for helping us to achieve great heights in 2013. We look forward to helping you *Find Your World* when you stay, work and do business with us.



For real-time updates from Arne Sorenson, follow him on LinkedIn  where he is a Thought Influencer.

March 14, 2014

⁶ Population Action International

⁷ "Lodging Strategic Insights," DK Shifflett & Associates

00100

Our lodging operations are subject to global, regional, and national conditions. Because we conduct our business on a global platform, our activities are affected by changes in global and regional economies. In recent years, our business has been hurt by decreases in travel resulting from weak economic conditions and the heightened travel security measures that have resulted from the threat of further terrorism. Our future performance could be similarly affected by the economic environment in each of the regions in which we operate, the resulting unknown pace of business travel, and the occurrence of any future incidents in those regions.

The growing significance of our operations outside of the United States also makes us increasingly susceptible to the risks of doing business internationally, which could lower our revenues, increase our costs, reduce our profits, or disrupt our business. We currently operate or franchise hotels and resorts in 72 countries, and our operations outside the United States represented approximately 17 percent of our revenues in 2013. We expect that the international share of our total revenues will continue to increase in future years. As a result, we are increasingly exposed to the challenges and risks of doing business outside the United States, which could reduce our revenues or profits, increase our costs, result in significant liabilities or sanctions, or otherwise disrupt our business. These challenges include: (1) compliance with complex and changing laws, regulations and policies of governments that may impact our operations, such as foreign ownership restrictions, import and export controls, and trade restrictions; (2) compliance with U.S. and foreign laws that affect the activities of companies abroad, such as anti-corruption laws, competition laws, currency regulations, and laws affecting dealings with certain nations; (3) limitations on our ability to repatriate non-U.S. earnings in a tax effective manner; (4) the difficulties involved in managing an organization doing business in many different countries; (5) uncertainties as to the enforceability of contract and intellectual property rights under local laws; (6) rapid changes in government policy, political or civil unrest in the Middle East and elsewhere, acts of terrorism, or the threat of international boycotts or U.S. anti-boycott legislation; and (7) currency exchange rate fluctuations.

Our new programs and new branded products may not be successful. We cannot assure you that recently launched, newly acquired or recently announced brands, such as EDITION, Autograph Collection, AC Hotels by Marriott, Gaylord Hotels, Moxy Hotels, or any other new programs or products we may launch in the future will be accepted by hotel owners, potential franchisees, or the traveling public or other customers. We also cannot be certain that we will recover the costs we incurred in developing or acquiring the brands or any new programs or products, or that the brands or any new programs or products will be successful. In addition, some of our new brands involve or may involve cooperation and/or consultation with one or more third parties, including some shared control over product design and development, sales and marketing, and brand standards. Disagreements with these third parties could slow the development of these new brands and/or impair our ability to take actions we believe to be advisable for the success and profitability of such brands.

Risks relating to natural or man-made disasters, contagious disease, terrorist activity, and war could reduce the demand for lodging, which may adversely affect our revenues. So called "Acts of God," such as hurricanes, earthquakes, tsunamis, and other natural disasters and man-made disasters in recent years, such as Hurricane Sandy in the Northeastern United States, the earthquake and tsunami in Japan, and the spread of contagious diseases in locations where we own, manage, or franchise significant properties and areas of the world from which we draw a large number of customers, could cause a decline in the level of business and leisure travel and reduce the demand for lodging. Actual or threatened war, terrorist activity, political unrest, or civil strife, such as recent events in Syria, Egypt, Libya, and Bahrain, and other geopolitical uncertainty could have a similar effect. Any one or more of these events may reduce the overall demand for hotel rooms and corporate apartments or limit the prices that we can obtain for them, both of which could adversely affect our profits.

Disagreements with the owners of the hotels that we manage or franchise may result in litigation or may delay implementation of product or service initiatives. Consistent with our focus on management and franchising, we own very few of our lodging properties. The nature of our responsibilities under our management agreements to manage each hotel and enforce the standards required for our brands under both management and franchise agreements may be subject to interpretation and will from time to time give rise to disagreements, which may include disagreements over the need for or payment for new product or service initiatives. Such disagreements may be more likely when hotel returns are weaker. We seek to resolve any disagreements in order to develop and maintain positive relations with current and potential hotel owners and joint venture partners but are not always able to do so. Failure to resolve such disagreements has resulted in litigation, and could do so in the future. If any such litigation results in a significant adverse judgment, settlement, or court order, we could suffer significant losses, our profits could be reduced, or our future ability to operate our business could be constrained.

Our business depends on the quality and reputation of our brands, and any deterioration in the quality or reputation of these brands could have an adverse impact on our market share, reputation, business, financial condition, or results of operations. Events that may be beyond our control could affect the reputation of one or more of our properties or more generally impact the reputation of our brands. If the reputation or perceived quality of our brands declines, our market share, reputation, business, financial condition, or results of operations could be affected.

00101

Actions by our franchisees and licensees could adversely affect our image and reputation. We franchise and license many of our brand names and trademarks to third parties in connection with lodging, timeshare, and residential services. Under the terms of their agreements with us, our franchisees and licensees interact directly with customers and other third parties under our brand and trade names. If these franchisees or licensees fail to maintain or act in accordance with applicable brand standards, experience operational problems, or project a brand image inconsistent with ours, our image and reputation could suffer. Although our franchise and license agreements provide us with recourse and remedies in the event of a breach by the franchisee or licensee, including termination of the agreements under certain circumstances, pursuing any such recourse, remedy, or termination could be expensive and time consuming. In addition, we cannot assure you that a court would ultimately enforce our contractual termination rights in every instance.

Damage to, or losses involving, properties that we own, manage, or franchise may not be covered by insurance. We have comprehensive property and liability insurance policies with coverage features and insured limits that we believe are customary. Market forces beyond our control may nonetheless limit the scope of the insurance coverage we can obtain or our ability to obtain coverage at reasonable rates. Certain types of losses, generally of a catastrophic nature, such as earthquakes, hurricanes and floods, or terrorist acts, or liabilities that result from breaches in the security of our information systems may be uninsurable or too expensive to justify obtaining insurance. As a result, we may not be successful in obtaining insurance without increases in cost or decreases in coverage levels. In addition, in the event of a substantial loss, the insurance coverage we carry may not be sufficient to pay the full market value or replacement cost of our lost investment or that of hotel owners or in some cases could result in certain losses being totally uninsured. As a result, we could lose some or all of the capital we have invested in a property, as well as the anticipated future revenue from the property, and we could remain obligated for guarantees, debt, or other financial obligations for the property.

Development and Financing Risks

While we are predominantly a manager and franchisor of hotel properties, our hotel owners depend on capital to buy, develop, and improve hotels, and our hotel owners may be unable to access capital when necessary. In order to fund new hotel investments, as well as refurbish and improve existing hotels, both the Company and current and potential hotel owners must periodically spend money. The availability of funds for new investments and improvement of existing hotels by our current and potential hotel owners depends in large measure on capital markets and liquidity factors, over which we can exert little control. The difficulty of obtaining financing on attractive terms can, at times, be constrained by the capital markets for hotel and real estate investments. In addition, owners of existing hotels that we franchise or manage may have difficulty meeting required debt service payments or refinancing loans at maturity.

Our growth strategy depends upon third-party owners/operators, and future arrangements with these third parties may be less favorable. Our growth strategy for development of additional lodging facilities entails entering into and maintaining various arrangements with property owners. The terms of our management agreements, franchise agreements, and leases for each of our lodging facilities are influenced by contract terms offered by our competitors, among other things. We cannot assure you that any of our current arrangements will continue or that we will be able to enter into future collaborations, renew agreements, or enter into new agreements in the future on terms that are as favorable to us as those that exist today.

Our ability to grow our management and franchise systems is subject to the range of risks associated with real estate investments. Our ability to sustain continued growth through management or franchise agreements for new hotels and the conversion of existing facilities to managed or franchised Marriott brands is affected, and may potentially be limited, by a variety of factors influencing real estate development generally. These include site availability, financing, planning, zoning and other local approvals, and other limitations that may be imposed by market and submarket factors, such as projected room occupancy, changes in growth in demand compared to projected supply, territorial restrictions in our management and franchise agreements, costs of construction, and anticipated room rate structure.

Our development activities expose us to project cost, completion, and resale risks. We develop new hotel and residential properties, and previously developed timeshare interval and fractional ownership properties, both directly and through partnerships, joint ventures, and other business structures with third parties. As demonstrated by the 2009 and 2011 impairment charges for our former Timeshare business, our ongoing involvement in the development of properties presents a number of risks, including that: (1) continued weakness in the capital markets may limit our ability, or that of third parties with whom we do business, to raise capital for completion of projects that have commenced or for development of future properties; (2) properties that we develop could become less attractive due to decreases in demand for hotel and residential properties, market absorption or oversupply, with the result that we may not be able to sell such properties for a profit or at the prices or selling pace we anticipate, potentially requiring additional changes in our pricing strategy that could result in further charges; (3) construction delays, cost overruns, lender financial defaults, or so called "Acts of God" such as earthquakes, hurricanes, floods, or fires may increase overall project costs or result in project cancellations; and (4) we may be unable to recover development costs we incur for any projects that we do not pursue to completion.

00192

2013 AWARDS AND RECOGNITION

World's Most Admired Lodging Company
#1 in *FORTUNE*®

World's Most Ethical Companies
Ethisphere™ Institute

Company of the Year
Executive Leadership Council

Top 50 Companies for Diversity
DiversityInc

FTSE4Good Index

World Savers Award—Top Large Hotel Chain
Condé Nast Traveler

Leadership in Environment Award
Keystone Center

100 Best Companies to Work For
(*FORTUNE*® "All Star" and "Social Media Star")
FORTUNE®

World's Best Multinational Workplaces for 2013
Great Places to Work Institute®

100% on the Corporate Equality Index
Human Rights Campaign

100 Best Companies
Working Mother

Top 50 Best Companies for Latinas
LATINA Style

Corporate Engagement Award of Excellence, The Ritz-Carlton
Points of Light

TownePlace Suites ranked #1 Extended Stay Brand
J.D. Power and Associates

North America Hotel Guest Satisfaction Survey—
The Ritz-Carlton Hotel Company Tops Luxury Hotel Brands
for Fourth Consecutive Year
J.D. Power and Associates

TownePlace Suites is the number one ranked hotel brand
in the Midprice Extended Stay Tier
Business Travel News

Top Hotel Loyalty Program, Marriott Rewards
U.S. News & World Report

Best Hotel Loyalty Program—Marriott Rewards, Americas
Freddie Award

EXHIBIT “C”

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EXHIBIT “D”



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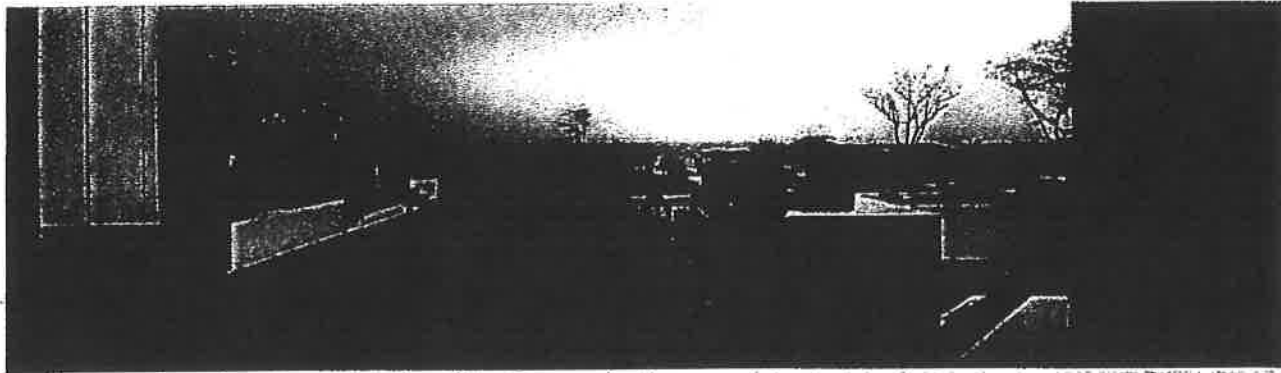
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UNITED STATES

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Arkansas (1)	California (42)	Colorado (10)
Connecticut (6)	District of Columbia (4)	Florida (29)
Georgia (14)	Hawaii (4)	Illinois (15)
Indiana (3)	Iowa (4)	Kansas (2)
Kentucky (5)	Louisiana (4)	Maine (1)
Maryland (9)	Massachusetts (8)	Michigan (9)
Minnesota (6)	Mississippi (1)	Missouri (6)
Nebraska (2)	Nevada (1)	New Hampshire (1)
New Jersey (7)	New Mexico (2)	New York (14)
North Carolina (9)	Ohio (8)	Oklahoma (2)
Oregon (2)	Pennsylvania (7)	Rhode Island (2)
South Carolina (6)	Tennessee (6)	Texas (26)
Utah (5)	Virginia (15)	Washington (4)
West Virginia (1)	Wisconsin (4)	

AFRICA

See all hotels in Africa

Algeria (1)	Egypt (3)	Rwanda (1)
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ASIA

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China (23)	India (5)	Japan (4)
Kazakhstan (1)	Malaysia (3)	Pakistan (2)
Philippines (2)	Singapore (1)	Taiwan (1)

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BRANDS

- ☒ Marriott Hotels & Resorts (522)
- ☐ Gaylord Hotels (5)
- ☐ The Ritz-Carlton (92)
- ☐ JW Marriott (80)
- ☐ EDITION Hotels (4)
- ☐ Autograph Collection (93)
- ☐ Renaissance Hotels (165)
- ☐ AC Hotels (84)
- ☐ Courtyard (1042)
- ☐ Protea Hotels - NEW! (108)
- ☐ Fairfield Inn & Suites (770)
- ☐ MOXY Hotels - NEW! (1)
- ☐ SpringHill Suites (340)
- ☐ Residence Inn (707)
- ☐ TownePlace Suites (269)
- ☐ Marriott Executive Apartments (26)
- ☐ Marriott Vacation Club (58)
- ☐ Conference Centers (7)

AMENITIES

- ☐ High-speed Internet (519)
- ☐ Free high speed Internet (74)

Thailand (3)

AUSTRALIA & PACIFIC ISLANDS

See all hotels in Australia & Pacific Islands

Australia (4)

☐ Free breakfast (6)☐ Fitness center (511)☐ Business center (494)☐ Restaurant on-site (512)☐ Pool (460)☐ Kitchen/Kitchenette (60)☐ Plug In Panel (305)☐ Pet friendly (85)☐ Room service (516)☐ New Lobby (169)**CANADA**

See all hotels in Canada

+ HOTEL TYPE**+ TRANSPORTATION****+ EVENTS****+ ACTIVITIES****+ HOTEL REWARDS CATEGORY****CARIBBEAN**

See all hotels in the Caribbean

Aruba (1)

Cayman Islands (1)

Curacao (1)

Haiti (1)

Mexico (10)

Puerto Rico (1)

St. Kitts and Nevis (1)

Venezuela (1)

Virgin Islands (US) (1)

CENTRAL AMERICA

See all hotels in Central America

Costa Rica (2)

Honduras (1)

Panama (1)

EUROPE

See all hotels in Europe

Armenia (2)

Austria (1)

Belarus (1)

Belgium (2)

Czech Republic (1)

Denmark (1)

France (6)

Georgia (1)

Germany (9)

Hungary (1)

Italy (3)

Netherlands (1)

Poland (1)

Portugal (2)

Russia (6)

Spain (2)

Switzerland (1)

United Kingdom (50)

MEXICO

See all hotels in Mexico

MIDDLE EAST

See all hotels in the Middle East

Jordan (3)

Oman (1)

Qatar (2)

Saudi Arabia (4)

Turkey (2)

United Arab Emirates (2)

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Guests/room

 1 2 3 4+

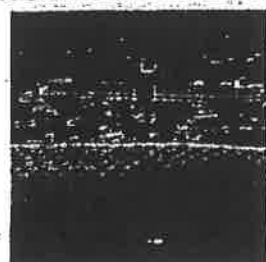
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Rewards number

SPECIAL RATES

Update

St. Kitts Marriott Resort &
The Royal Beach CasinoFrom
189USD/night

View Rates

The Marriott St. Kitts Resort & Royal Beach Casino captivates you the moment you see it, immersing you in the culture and atmosphere of the most romantic of Caribbean Islands. Our St. Kitts hotel is an unparalleled island vacation experience.

- High-speed Internet
- Free high speed Internet
- Free breakfast
- Fitness center
- Business center
- Restaurant on-site
- Pool
- Kitchen/Kitchenette
- Plug In Panel
- Pet friendly
- Room service

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New Hotels
Kitchen/Kitchenette
Resort
Extended Stay
Golf



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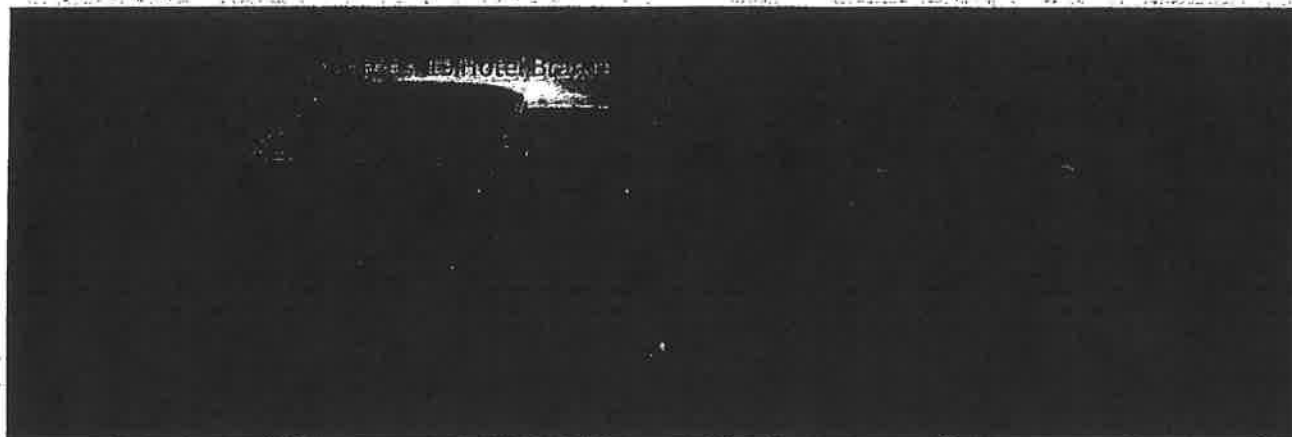
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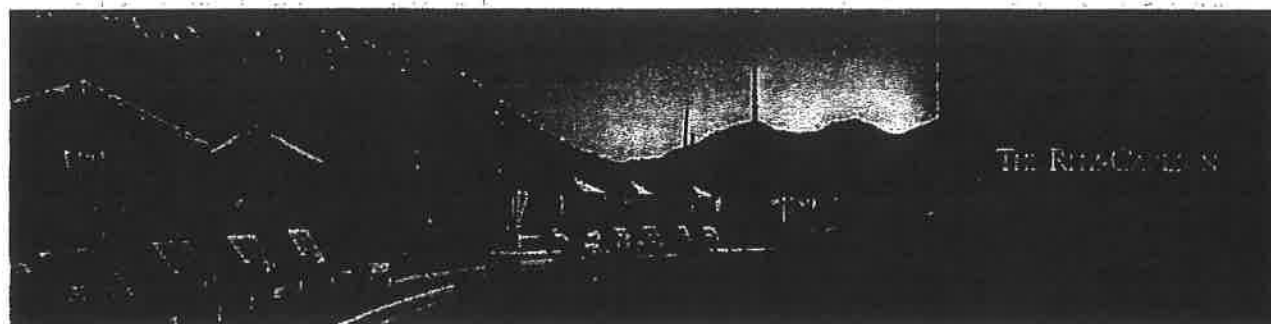
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COUNTLESS WAYS TO SAY WELCOME.

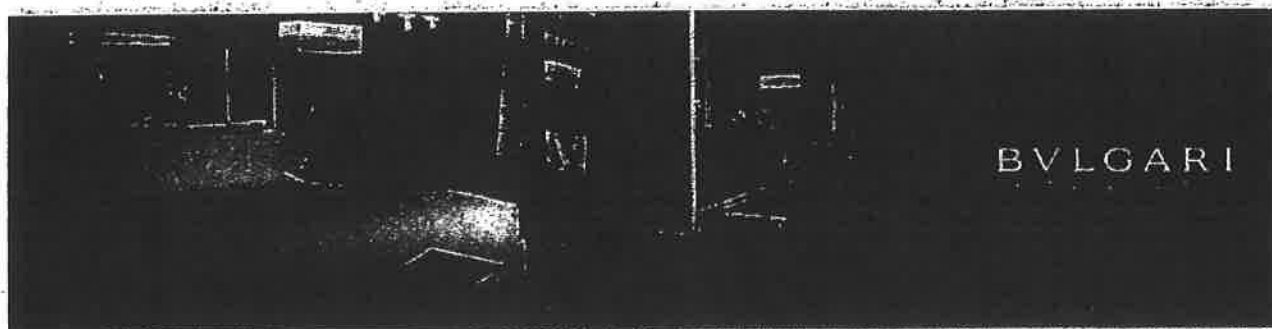
From luxurious resorts to urban retreats, bold boutiques to spacious suites, there's a Marriott® hotel brand as unique as the reasons you travel. The choice is all yours ... the pleasure is all ours.



The Ritz-Carlton

An enduring symbol of sophistication, style and legendary service, The Ritz-Carlton creates exceptional luxury experiences at more than 80 hotel and resort locations around the globe. The memories created by the ladies and gentlemen of The Ritz-Carlton stay with you long after you leave. Hotel directory

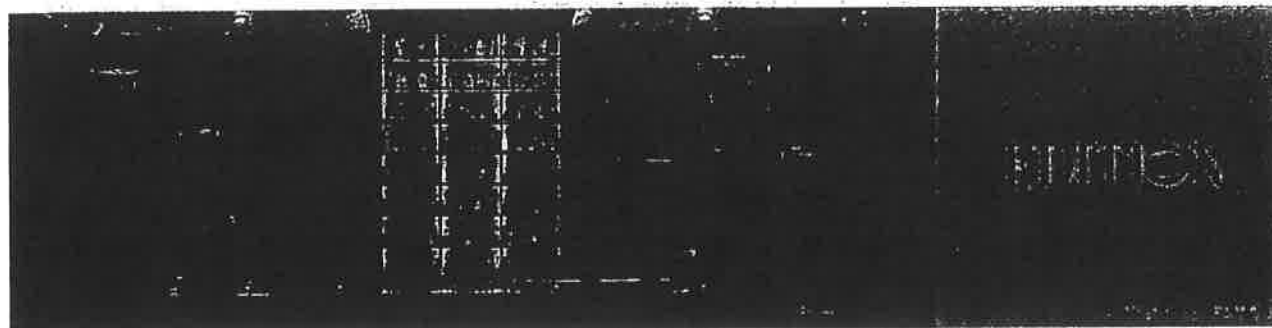
Exclusive luxury partner of Marriott Rewards®



BVLGARI® Hotel & Resorts

This is the leading luxury hospitality collection in the world. It is comprised of a few select properties in major cosmopolitan cities and luxury resort destinations. Each location makes a strong reference to the local culture while retaining a distinctly Italian contemporary luxury feel.

BVLGARI does not participate in Marriott Rewards®.

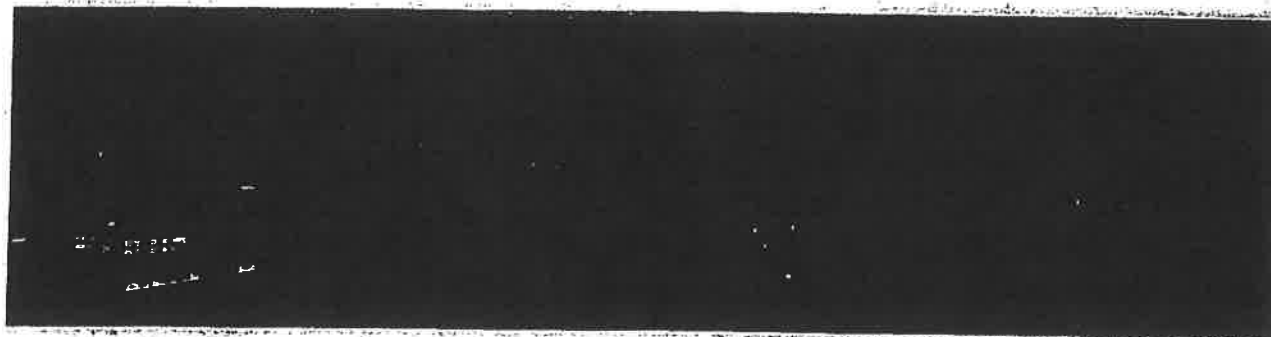


EDITION®

Ian Schrager's refreshing collection of one-of-a-kind modern luxury hotels, created in collaboration with Marriott, is an evolutionary response to the desire for a sophisticated experience from the guest with a contemporary lifestyle. The Istanbul EDITION is the brand's debut property, followed by the recent premiere of The London EDITION. Planned openings are also scheduled in gateway cities such as Miami Beach, New York, Abu Dhabi and several other cities. Hotel directory.

Proudly participates in Marriott Rewards®

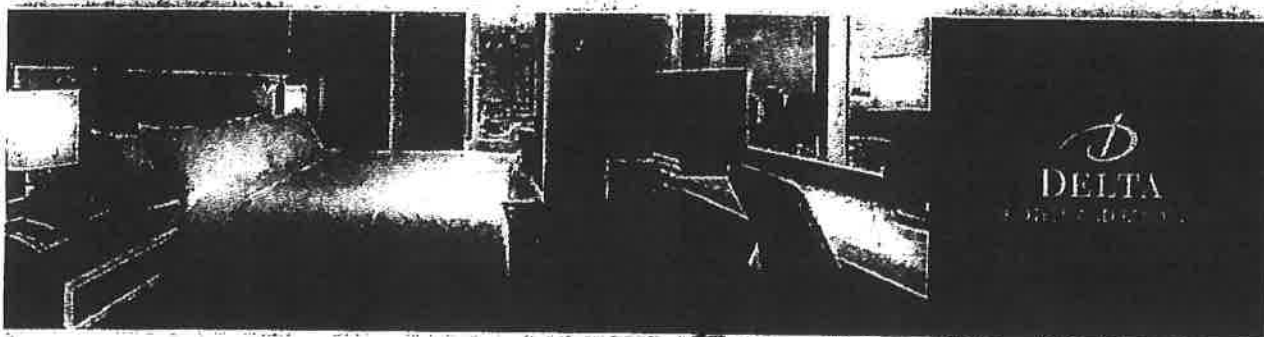




Marriott Hotels®

Today, Marriott Hotels celebrate the travelers of the world. Our mission is to host you brilliantly... to make your every event and stay with us unforgettable and effortless. From next gen meeting spaces to tech-enhanced guest service and beyond, we offer 500 locations worldwide to help you connect, relax and recharge — wherever it is your travels take you. [Hotel directory](#)

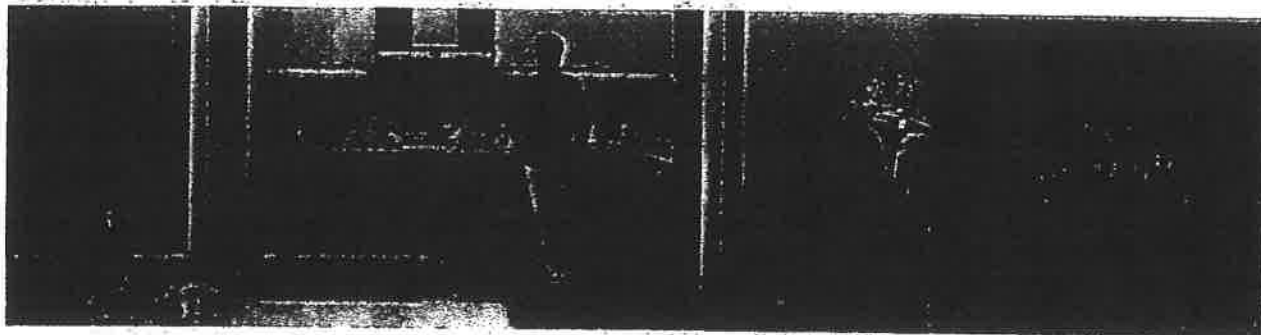
Proudly participates in Marriott Rewards®



Delta Hotels and Resorts

One of North America's leading four-star brands, Delta Hotels and Resorts offers hotels in gateway cities such as Toronto and Edmonton, as well as one-of-a-kind resorts in destinations including Banff and Whistler. Whether you're traveling for business or play, modern and timeless design, personable service and well-appointed amenities are always included.

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EXHIBIT “E”

DECLARATIONS

RENEWAL OF POLICY NO.: 03-1584

INDEXES BBT 1059



AUTHORIZED REPRESENTATIVE

EXHIBIT “F”

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VERONICA BROWN,

Plaintiff,

-against-

ST. KITTS MARRIOTT RESORT AND THE
ROYAL BEACH CASINO and MARRIOTT
INTERNATIONAL, INC.,

Defendants.

X

Docket No.:
CV-14-5960 (SLT)(MDG)

DEFENDANT'S
RULE 26(a) DISCLOSURES

X

Defendant MARRIOTT INTERNATIONAL, INC., as and for its Rule 26 Initial
Disclosures responds as follows:

**A. Persons likely to have discoverable information relevant to the instant
lawsuit:**

Aside from the plaintiff, and any individuals identified in her medical records, defendant
is aware at this time of the following individuals who may have information relevant to the
lawsuit:

- Judy Gomez Caldwell
- Dameon Lawrence
- Tyrone O'Laughlin

B. Relevant Documents in the possession, custody and control of defendant:

- Management Agreement for the subject facility, attached as Exhibit "A," Bates-stamped MI-0001 to MI-00081.
- Corporate filings attached as Exhibit "B," Bates-stamped MI-00082 to MI-00083.
- Incident report attached as Exhibit "C," Bates-stamped MI-00084.
- Plaintiff statement attached as Exhibit "D," Bates-stamped MI-00085.
- Plaintiff's guest folio attached as Exhibit "E," Bates-stamped MI-0086 to MI-0088.

C. Defendant is not seeking damages against the plaintiff.

D. Policy of Insurance: At the time of the alleged occurrence, defendant was covered by a policy of insurance issued by American Home Assurance Company, policy number 03-1742, effective dates 10/1/12-10/1/13, and policy limits of \$3 million.

Defendant MARRIOTT INTERNATIONAL, INC., hereby reserves its right to augment and/or supplement this disclosure at any time up to and including the time of trial, pursuant to the FRCP.

Dated: New York, New York
March 19, 2014

WHITE FLEISCHNER & FINO, LLP

By: 

Daniel M. Stewart (7989)

Attorneys for Defendant
MARRIOTT INTERNATIONAL, INC.
61 Broadway - 18th Floor
New York, New York 10006
(212) 487-9700
Our File No.: 105-18017

TO: (See Attached Affidavit)